

Remarks

The Examiner stated as follows:

Applicant has elected a species and claims that were not originally restricted in the election/restriction requirement dated 12/6/05. Claim 17 is drawn to a portion. A portion was not a group originally required for restriction. Additionally, applicant has elected Species O, which reads on a “portion” and “a fiber assembly.” It is not clear as to what Applicant has elected.

In reply, Applicant respectfully submits that the examiner classified claims 16-17 in Group II, and claim 17 is specifically drawn to a “portion.” The claim as amended is set forth below:

17. (currently amended) A portion made from the method of claim 2 a method of manufacturing a fiber assembly, said method comprising:
providing a plurality of layers, each layer comprising sintered fibers of piezoelectric material aligned substantially parallel;
laminating said plurality of layers;
applying a matrix material to the laminated layers to affix said layers and form a fiber assembly; and
sectioning said portion from said fiber assembly.

Noteworthy is the fact that the amendment only involved incorporating the subject matter of claim 2 into the claim, rather than having it depend on claim 2. Therefore, applicants believe it is irrefutable that Group II of the restriction requirement did, indeed, include a “portion.”

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Nevertheless, in the interest of moving the prosecution forward, if the examiner maintains that the original restriction did not identify a "portion" as set forth above, then a provisional withdraw of claim 17 and its dependent claims 3-6 is hereby made.

Respectfully submitted,

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